

REMARKS

The Examiner rejected claims 1-2, 5, and 7-8 under 35 U.S.C. §102 as anticipated by Vaeth. Claim 3 was rejected under 35 U.S.C. §103 as unpatentable over Vaeth further in view of Mizikovsky. Claims 4 and 6 were rejected under 35 U.S.C. §103 as unpatentable over Vaeth further in view of Rowe.

New claim 9 distinguishes over Vaeth for the following reasons. Claim 9 recites a method for remote maintenance of a technical device by a maintenance technician by a maintenance computer. These terms appearing in the preamble are also used in the body of the claim. Therefore in accordance with Federal Circuit precedent, weight must be given to these limitations in the preamble. Vaeth only describes secure telecommunications and more specifically the issuance and management of certificates in such telecommunications in electronic commerce (column 1, lines 4-7). At column 1, lines 36-38 Vaeth describes communication between vendors of goods and services and their potential customers. But there is no mention anywhere in the disclosure of Vaeth of remote maintenance of a technical device being maintained by a maintenance technician via a maintenance computer. Claim 9 thus readily distinguishes over Vaeth.

Claim 9 further distinguishes by reciting a remote data connection between the maintenance computer and the technical device to be maintained. Nowhere does Vaeth disclose any maintenance computer being connected over a remote data connection to the technical device to be maintained.

Claim 9 next distinguishes by reciting transmitting electronic access information describing a scope of intended access to data stored in the technical device from the maintenance computer to the technical device to be maintained, said data being understood to be confidential by an operating personnel of the technical

device. Vaeth not only does not describe any maintenance computer or technical device being maintained but makes no mention of any confidential data understood to be confidential by an operating personnel of the technical device. Although Vaeth describes at column 6, line 11 that the requester provides information including verification or qualification along with the requester's public key to the certification website, there is no disclosure anywhere in Vaeth that this verification or qualification information is describing a scope of intended access to data in a maintenance operation where that data is understood to be confidential by an operating personnel of the technical device.

Claim 9 next distinguishes by reciting identification of a maintenance technician. But Vaeth never mentions maintenance and therefore the requester electronic identifier in Vaeth is not disclosed as being an electronic identifier of a maintenance technician.

Claim 9 next distinguishes by reciting determining an approval by said operating personnel of an access to the technical device dependent on the access information describing the scope of the intended access to the data, said data being understood to be confidential by the operating personnel. Nothing like this is mentioned anywhere in Vaeth. The only approval provided by Vaeth is based on verification or qualification information from a requester, but there is no approval based on a request for access to information understood to be confidential by the personnel operating the technical device.

Claim 9 next distinguishes by reciting said maintenance technician performing maintenance on said technical device with the maintenance computer. Nowhere does Vaeth disclose this. Vaeth never mentions maintenance.

The secondary Mizikovsky reference relates to secure downloading of operational information and nowhere discloses maintenance. Therefore Mizikovsky cannot satisfy the deficiencies of the primary reference Vaeth. The same is true of the secondary Rowe reference which only relates to managing sessions with host-based application using session vectors without mention of maintenance.

Dependent claims 10-14 distinguish at least for the reasons noted with respect to claim 9 and also by reciting additional features not suggested.

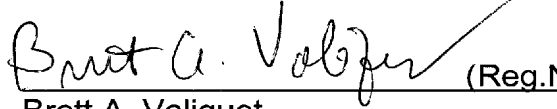
Independent claim 15 is similar to claim 9 and distinguishes in a similar fashion but recites data understood to be access sensitive and is somewhat broader as to the transmission of the authentication information. Dependent claim 16 recites the automatic deleting of electronic data transmitted from the technical device to the maintenance computer during maintenance, such data being considered access sensitive by the operating personnel of the technical device. This claim distinguishes at least for the reasons claim 15 distinguishes and also recites the additional data deletion feature.

Computer-readable storage medium claim 17 is similar to claim 9 and is allowable at least for the reasons noted with respect to claim 9.

Allowance of the application is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519.

Respectfully submitted,

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